

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:

VITAMINS ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

FOSTER POULTRY FARMS, INC. v.
BASF AG, et al. (E.D. Cal.)

MDL No. 1285

Misc. No. 99-197 (TFH)

C.A. No. 00-2725 (TFH)

FILED

AUG 13 2002

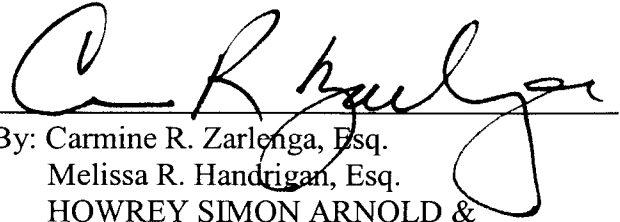
NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
OF CLAIMS OF FOSTER PLAINTIFFS AGAINST
DEFENDANTS EISAI CO., LTD., EISAI CORPORATION OF NORTH AMERICA,
AND EISAI U.S.A., INC.**

Pursuant to Federal Rule of Civil Procedure 41(a), it is hereby stipulated and agreed that all claims in the above-captioned cases of the Plaintiffs Foster Poultry Farms, Inc. and Del Mesa Farms, Inc. (the "Foster Plaintiffs") are dismissed with prejudice against Defendants Eisai Co., Ltd., Eisai Corporation of North America, and Eisai U.S.A., Inc., without costs or fees to any party. This stipulation is without prejudice to the Foster Plaintiffs' claims against any other defendants or alleged co-conspirators in the above-captioned cases.

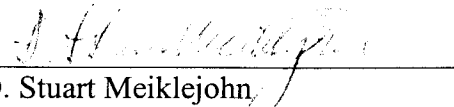
DATED: August 12, 2002

Respectfully submitted,



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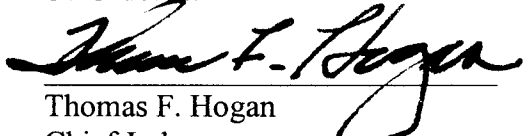
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EISAI CO., LTD., EISAI
CORPORATION OF NORTH
AMERICA, and EISAI U.S.A.,
INC.

So Ordered:



Thomas F. Hogan
Chief Judge
Aug 13, 2002